

**Key Information Summary Sheet**  
**Environmental Consultant Services for DHCD**  
**Request for Proposals No. 09-25-001**



**RFP Issue Date:** April 17, 2009

**Procurement Officer:** Ann Goldman  
goldmana@mdhousing.org  
410-514-7113  
(FAX) 410-987-4676

**Submit Proposals to:** Dept. of Housing and Community Development  
Attention: Ann Goldman  
100 Community Place, Room 2.613A  
Crownsville, MD 21032-2023

**Proposals Due:** May 19, 2009, 2:00 pm local time

**Anticipated Contract Start:** June 30, 2009

Minority Business Enterprises and Small Businesses are encouraged to respond to this solicitation

Notice: Any prospective Offeror who received this document from a source other than the Issuing Office should immediately advise the Issuing Office of its name and mailing address, so that amendments to the RFP and other communications can be sent to them.

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## **SECTION 1 - GENERAL INFORMATION**

### **1.1 Purpose**

The Maryland Department of Housing and Community Development (DHCD), a principal department of the State of Maryland (State), is seeking a qualified Contractor to provide environmental consultant services. Specific services to be provided are outlined in Section 2.

### **1.2 Procurement Method**

This Contract will be awarded in accordance with the small procurement regulations under COMAR 21.05.07.

### **1.3 Questions**

Questions will be accepted from prospective Offerors and should be submitted in a timely manner to the Procurement Officer only. E-mail submission of questions is preferable, but questions will also be accepted by phone, mail or facsimile to the Procurement Officer. The Procurement Officer will decide whether an answer can be given before the closing date, based on the availability of time to research and communicate an answer. Answers to all substantive questions that have not previously been answered, and are not clearly specific only to the requestor, will be distributed to all vendors who are known to have received a copy of this RFP.

### **1.4 Procurement Officer and Issuing Office**

The sole point of contact at the State for purposes of this RFP is the Procurement Officer at the Issuing Office listed on the Key Information Summary Sheet.

### **1.5 Contract Manager**

After contract award and throughout the course of the project, the Contract Manager listed below (or designee) will monitor the performance of the Contractor.

Eileen Hagan  
Department of Housing and Community Development  
100 Community Place  
Crownsville, MD 21032  
Tele: 410-514-7542  
Email: hagan@mdhousing.org

### **1.6 Duration of Offer**

Offers submitted in response to this RFP are irrevocable for sixty (60) days following the closing date for proposals. The Procurement Officer may extend this period, with the Offeror's written consent.

### **1.7 Revisions to the RFP**

If it becomes necessary to revise this RFP, amendments will be provided to all prospective Offerors that were sent this RFP or otherwise are known by the Procurement Officer to have obtained this RFP. Failure to acknowledge receipt does not relieve the Offeror from complying with all terms of any such amendment.

### **1.8 Cancellation / Rejection**

The State reserves the right to cancel this RFP at any time prior to contract award pursuant to COMAR 21.06.02.02. The State also reserves the right to accept or reject, in whole or in part, any and all offers received in response to this RFP, and to waive or permit cure of minor irregularities in any manner necessary to serve the best interests of the State of Maryland.

### **1.9 Contract Type**

The Contract awarded as a result of this RFP shall be a firm fixed price contract as provided in COMAR 21.06.03.02.A.1.

### **1.10 Compensation and Method of Payment**

The Contract will provide that the Contractor be paid monthly for Environmental Consultant Services for DHCD . Payment shall be based upon the price per service.

### **1.11 Parties to the Contract**

The contract entered into as a result of the response to this RFP shall be by and between the successful Offeror as Contractor and DHCD, and shall include the terms and conditions of Attachment A of this RFP and generally the provisions of this RFP. Any exceptions must be clearly identified in the Executive Summary section of the Technical Proposal. Attachment A is included for information only and is not to be submitted with the Offeror's proposal.

### **1.12 Minority Business Enterprises (MBEs)**

Minority Business Enterprises (MBEs) are encouraged to respond to this solicitation. MBE vendors are encouraged to obtain MBE certification from the Maryland Department of Transportation, Office of Minority Business Enterprise. Direct all certification-related questions to:

Office of Minority Business Enterprise  
Maryland Department of Transportation  
P.O. Box 8755  
BWI Airport, Maryland 21240-0755  
(410) 859-7328  
[http://www.mdot.state.md.us/MBE\\_Program/](http://www.mdot.state.md.us/MBE_Program/)

### **1.13 Small Businesses**

Although this is not a Small Business Reserve procurement, small businesses are encouraged to respond to this solicitation and to register with the Maryland Department of General Services for the Maryland Small Business Reserve Program through a self-certification process at <https://www.smallbusinessreserve.maryland.gov/registration/>.

## **SECTION 2 – SCOPE OF SERVICES**

### **2.1 Overview**

DHCD is seeking a qualified firm to provide the environmental consulting services necessary to comply with U. S. Department of Housing and Urban Development (HUD) regulation 24 CFR 35, et al. “Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance; Final Rule” This regulation became effective on September 15, 2000 under Sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, which is Title X of the Housing and Community Development Act of 1992. The regulation establishes greater emphasis on hazard reduction requirements that reduce lead in house dust. Housing built after January 1, 1978 is considered to be exempt from these regulations. The regulation protects young children from lead-based paint hazards in housing that is financially assisted by the federal government or being sold by the government.

Services shall include: (1) paint inspections; (2) risk assessments; and (3) clearance inspections, as required, for each of the DHCD residential property rehabilitation cases. On average, the Property Rehabilitation Program assists approximately 10 to 15 property owners per year. Most of the services will be for properties in the Baltimore Metro area and the Eastern Shore.

### **2.2 Scope of Services**

- A. Paint Inspections. Paint inspections shall be performed by Maryland Department of Environment (MDE) accredited lead-based paint risk assessors and inspectors. The paint inspections shall meet or exceed the recommended protocol of the State of Maryland and the HUD guidelines for the Evaluation and Control of Lead-Based Paint in Housing (1997 - Chapter 7), the requirements of 24 CFR 35.1320 - Paint Inspections and Risk Assessments, and work practice standards under 40 CFR 745.227.
  - 1. Testing of each property shall consist of a full lead paint inspection of interior and exterior areas using a single family testing protocol. DHCD shall require testing of all painted and varnished surfaces on the property up to 24' in height.
  - 2. Testing shall be performed using an XRF analyzer and operated in accordance with the manufacturer's performance characteristic sheet (PCS) which details

proper use of the equipment. Paint chip analysis will be performed only in the case that the XRF testing would produce inconclusive results, as required by the testing protocol.

- B. Risk Assessments. Risk Assessments shall be conducted by MDE accredited lead-based paint risk assessors and inspectors. Lead abatement services providers shall comply with COMAR 26.16.05 – Procedures for Performing Lead Abatement Services. The protocols shall meet or exceed the recommended requirements of the HUD Guidelines for the Evaluation and Control of Lead-Based Paint in Housing (1995, Chapter 5), and the requirements of 24 CFR 35.1320 - Paint Inspections and Risk Assessments, as well as the work practice standards of 40 CFR 745.227.

The level of assessment will adequately evaluate the risk of exposure to environmental lead and may consist of a screen risk assessment or full risk assessment depending on the particular circumstances of the property rehabilitation case.

1. The screen risk assessment is an abbreviated form of evaluation and will only be applicable where a property is in good condition and there is a low probability of finding lead-based paint hazards. Upon completion of a paint inspection to a property, the selected consultant and DHCD shall agree whether a screen risk assessment is suitable to evaluate the lead hazard, if any. The screen risk assessment shall consist of:
  - a. Visual inspection of the building for defects that affect paint systems, including completion of HUD Form 5.1, Building Condition Form;
  - b. Visual inspection of paint systems and rating the systems using Table 5.3 - Categories of Paint Film Quality of the HUD Guidelines or by such methods or standards to be implemented under 40 CFR 745.65-Lead-based Paint Hazards;
  - c. Collection and analysis of two composite dust samples (one from windows and one from floors) in accordance with Scope of Services, Section D, Dust Testing for Lead Contamination; and
  - d. Collection and analysis of two composite soil samples in accordance with Scope of Services, Section E, Soil Sampling for Lead Contamination.
2. The full risk assessment shall consist of the following components:
  - a. If occupied, collection and documentation of background information on the property such as history and use patterns;
  - b. Visual inspection of the building for defects that affect paint systems, including completion of HUD Form 5.1: Building Condition Form;

- c. Visual inspection of paint systems and rating of the systems using Table 5.3: Categories of Paint Film Quality of the HUD Guidelines or by such methods or standards to be implemented under 40 CFR 745.65 - Lead-Based Paint Hazards;
  - d. Additional testing of intact paint systems, as may be required to quantify risk potential of lead exposure at a property;
  - e. Collection and analysis of a total of four single dust samples from areas that represent the greatest risk of exposure in accordance with Scope of Services Section, D Dust Testing for Lead Contamination;
  - f. Collection and analysis of soil sampling for lead-based paint hazards in accordance with Scope of Services, Section E, Soil Sampling for Lead Contamination;
  - g. If required, testing of personal items where there is a concern about possible lead exposure in accordance with appropriate regulatory requirements or industry standards; and
  - h. Development of abatement and management plans as may be required to resolve identified lead-based paint hazards.
- C. Clearance Inspections. Clearance inspections shall be performed to confirm that work required to eliminate lead-based paint hazards has been completed in accordance with applicable Federal and State standards and that the work has not increased lead hazards at the property. Each clearance examination shall be performed by personnel properly trained and accredited by MDE as a Risk Assessor or Inspector Technician. Lead abatement services providers shall comply with COMAR 26.16.05 – Procedures for Performing Lead Abatement Services. Each examination shall meet or exceed the recommended protocol of the HUD Guidelines for the Evaluation and Control of Lead-Based Paint in Housing (1995-Chapter 15), and the requirements of 24 CFR 35.1340 - Clearance, and work practice standards contained at 40 CFR 745.227. Each clearance examination will consist of the following.
- 1. A visual inspection of the property shall be conducted to determine whether work on targeted components was completed and to ensure that no leaded dust or debris are present. Specific areas that may need to be confirmed include paint removal, paint film stabilization, component removal and replacement, enclosures, soil treatments, encapsulants and interim controls.
  - 2. Dust testing shall be performed to determine the extent, if any, of lead contaminated dust following the work. Dust Testing will be conducted in accordance with the requirements of Scope of Services, Section D, Dust Testing for Lead Contamination. Sampling is to be performed by single wipes, since

composite wipe sampling methods, although referenced in Federal Guidelines, are not recognized in the State of Maryland.

3. Should the scope of work involve disturbing exterior paint or abating soil at a property, soil sampling shall be conducted in accordance with the requirements of Scope of Work, Section E, Soil Sampling for Lead Contamination, to ensure that the work did not result in additional soil contamination when compared to baseline samples collected prior to the start of work or that abatement work successfully lowered the lead contamination to more acceptable levels.
- D. Dust Testing for Lead Contamination. Lead abatement services providers shall comply with COMAR 26.16.05 – Procedures for Performing Lead Abatement Services. The test shall meet or exceed the recommended protocol of the HUD Guidelines for the Evaluation and Control of Lead-Based Paint in Housing (Appendix 13.1), and the requirements of 24 CFR 35.1315 - Collection and Laboratory Analysis of Samples, and work practice standards of 40 CFR 745.227.
1. Sampling shall consist of either single or composite samples based on the requirements of the specific protocol and any governing regulatory requirements.
  2. Sampling shall be from those areas that represent the greatest risk of exposure, consistent with sampling guidance contained in applicable Federal regulations and Code of Maryland Regulations (COMAR 26.16.02 (4)(a)). Sampling Points may include, but not be limited to floors, window wells, window sills and other horizontal surfaces as may be required.
  3. For composite samples, each sample shall consist of up to four subsamples.
  4. Samples shall be analyzed by an ELPAT accredited laboratory for lead content using Atomic Adsorption Spectrophotometry (AAS) or equivalent and meet or exceed the requirements of EPA.
  5. Results of the dust testing shall be incorporated into the appropriate report (i.e. risk assessment or clearance) as indicated in Scope of Services, Section F, Reports and Deliverables.
- E. Soil Sampling for Lead Contamination. Collection of samples to determine if it is lead contaminated shall be conducted as part of a risk assessment or clearance examination in accordance with COMAR 26.16.05 – Procedures for Performing Lead Abatement Services which meet or exceed the recommended protocol of the HUD Guidelines for the Evaluation and Control of Lead-Based Paint in Housing (Appendix 13.3), and the requirements of 24 CFR 35.1315 - Collection and Laboratory Analysis of Samples, and work practice standards of 40 CFR 745.227.



1. Soil testing shall consist of collection of two composite samples. One composite sample at the building foundation/drip line and one composite sample on the general grounds.
2. Should the property contain items that would constitute a defined play area per the Federal guidelines, then a sample from this area shall be required.
3. Each sample shall consist of eight subsamples.
4. Samples shall be analyzed by an ELPAT accredited laboratory for lead content using Atomic Adsorption Spectrophotometry (AAS) or equivalent and meet or exceed the requirements of EPA.
5. Results of the soil testing shall be incorporated into the appropriate testing report as indicated in Scope of Services, Section F, Reports and Deliverables.

**F. Reports and Deliverables.**

1. Upon completion of the paint inspection and risk assessment, the selected consultant shall be required to compile the information and findings into a report to be submitted to DHCD, in duplicate. Each report shall include the following:
  - a. Summary of findings;
  - b. Description of the testing protocols;
  - c. Property information including a sketch of the property; and
  - d. Narrative and all applicable information pertaining to the risk assessment.
2. Information and findings of each clearance examination shall be compiled into a report which meets or exceeds the minimum requirements indicated in the federal regulations and guidelines.
3. Results of the paint inspection shall be classified as being positive, negative or inconclusive for lead when compared to the Maryland Regulatory standard of greater than 0.7 mg of lead/cm<sup>2</sup> if testing is by XRF; or greater than or equal to 0.5 weight percent lead in the dry paint matrix if analysis is by laboratory. Results of other environmental samples, including dust and soil, will be evaluated and classified as meeting or exceeding the most stringent regulatory standard in effect at the time of the evaluation.

**2.3 Insurance Requirements**

- A. The Contractor shall have the following insurance in place and shall provide DHCD with insurance certificates before ratification of the Contract. The certificates of insurance

will inure to the benefit of DHCD and protect DHCD if there is a liability for personal damage, property damage or worker's compensation claims, and in the amounts not less than those stipulated below.

1. Comprehensive General Liability Insurance. Comprehensive General Liability Insurance will include, bodily injury liability limits of \$1,000,000 each person and \$1,000,000 each occurrence, and property damage liabilities limit of \$1,000,000 each occurrence.
  2. Automobile Liability Insurance. Automobile liability insurance with minimum limits of coverage of \$300,000 each occurrence for property damage and \$300,000 each occurrence for bodily injury.
  3. Workers' Compensation Insurance. Worker's Compensation Insurance shall include statutory coverage, including the employer's liability coverage with limits of at least \$100,000.
  4. Error's and Omissions Insurance. Error's and Omissions insurance coverage including \$1,000,000 limit of liability and \$1,000,000 aggregate limit.
- B. The insurance certificates must substantially contain the following statement: "The insurance covered by this certification shall not be canceled or materially altered, except after thirty (30) consecutive calendar days written notice has been received by DHCD. DHCD shall be named in any insurance policy as additional insured.

## **2.4 Schedule**

The Contractor shall provide all required reports and deliverables for paint inspections and risk assessments to DHCD seven (7) to ten (10) consecutive calendar days from the date of the inspection, and all required reports and deliverables for clearance inspections within five (5) consecutive calendar days from the date of the clearance inspection.

## **2.5 DHCD Responsibilities**

DHCD will be responsible for: (a) assistance to the Contractor in the coordination of inspections at the various properties; (b) disbursement of applicable project related data from the Contractor to other interested parties; (c) disbursement of fees to the Contractor for services provided; and (d) any additional project related administration and assistance as may be determined necessary and appropriate.

## **SECTION 3 – MINIMUM QUALIFICATIONS**

The Offeror shall be licensed and accredited by MDE as a lead abatement services provider contractor.

## **SECTION 4 – PROPOSAL FORMAT**

### **4.1 Overview**

The Offeror's Technical Proposal should be prepared in a straightforward and concise manner, detailing the Offeror's capabilities to satisfy the requirements of this RFP and should conform to the Outline listed in Section 4.2.B below.

### **4.2 Technical Proposal**

#### **A. General:**

Offerors shall submit, under separate cover, a clearly marked unbound original and three (3) copies of the Technical Proposal in a separate sealed envelope titled "Environmental Consultant Services for DHCD - Technical Proposal."

Offerors should include a transmittal letter on the Offeror's stationery, signed by an individual who is authorized to bind the company to all statements in the proposal and the services and requirements as stated in the RFP.

#### **B. Outline:**

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#### **1. Tab 1 – Minimum Qualifications**

The Offeror shall demonstrate that it meets the qualifications outlined in Section 3 by providing satisfactory evidence demonstrating that the Offeror is licensed and fully certified by the Maryland Department of the Environment to provide lead paint environmental consulting services in the State of Maryland.

#### **2. Tab 2 – Executive Summary**

The Offeror shall condense and highlight the contents of the Technical Proposal in a separate section titled "Executive Summary". The summary shall provide a broad overview of the Offeror's understanding of the contents of the RFP and of the how the Offeror's proposal meets the scope of services outlined in Section 2. If any addendum or amendments have been issued to this RFP, the Offeror shall acknowledge same in this section. Also, any exceptions to this RFP or the terms and conditions outlined in Attachment A or any other attachment must be clearly identified in this section. Exceptions may result in the proposal being rejected or not reasonably susceptible of being selected for award.

**3. Tab 3 – Approach to Services**

The Offeror shall describe how the proposed services meet the scope of service requirements listed under Section 2.

**4. Tab 4 – Understanding of Program Requirements**

The Offeror demonstrate its comprehension and understanding of the requirements of U. S. Department of Housing and Urban Development (HUD) regulation 24 CFR 35, et al. “Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance; Final Rule.”

**5. Tab 5 – Summary of Experience**

The Offeror shall describe its previous experience as an environmental consulting firm in providing services of similar type and scope in the State of Maryland.

**6. Tab 6 – References**

The Offeror shall provide the names, addresses, and telephone numbers of at least three (3) current clients that may be contacted as references. Provide the name of the organization, mailing address, point of contact name, telephone number and email, and a description of the services rendered. DHCD reserves the right to call any known former or current client.

**4.3 Price Proposal**

Submit an unbound, clearly marked original and three (3) bound copies of the Price Proposal in a separate sealed enveloped titled “Financial Proposal – Environmental Consultant Services for DHCD.” The Price Proposal must be in the format specified in Attachment B and be signed by an official authorized to bind the Offeror.

**SECTION 5 – EVALUATION PROCEDURE AND CONTRACT AWARD**

**5.1 Evaluation Committee**

The Procurement Officer shall establish an Evaluation Committee, which may include individuals from within or outside of State government. The Procurement Officer reserves the right to reject in whole or in part any and all proposals received as a result of this RFP, to waive minor irregularities in proposals, and to enter into discussions with all responsible Offerors in any manner deemed necessary to serve the best interest of DHCD and the State. Offerors whose proposals are not accepted will be notified in writing.

## **5.2 Discussions/ Oral Presentations**

All Offerors who appear to be responsible and whose proposals are initially classified as being reasonably susceptible of being selected for award (or potentially so) may be required to make oral presentations of their proposals and participate in discussions with the Evaluation Committee. Offerors will be notified as to a date for oral presentations /discussions. Offerors must confirm in writing any substantive oral clarification of their proposal made in the course of discussions and all written clarifications will become part of the Offeror's Technical Proposal.

Price Proposals from only those responsible Offerors whose proposals are finally deemed reasonably susceptible of being selected for award will be opened following the discussion and presentation process.

If, following the opening of the price proposals, the Procurement Officer determines that further discussion is in the best interest of DHCD and the State, the Procurement Officer will notify all of the Offerors of the date on which such discussions will be conducted. Upon completion of all discussions and upon receipt of any "best and final offers" submitted as a result of such discussions, the Evaluation Committee shall recommend to the Procurement Officer the award of the Contract to the responsible Offeror whose combined technical and price proposal is determined to be the most advantageous to DHCD and the State.

## **5.3 Technical Proposal Evaluation Criteria**

The Evaluation Committee will conduct their evaluation of the Technical Proposals received on the basis of the following criteria in descending order of importance:

- A. Approach to Services, as described in Section 4.2, Tab 3.
- B. Understanding of Program Requirements, as described in Section 4.2, Tab 4.
- C. Experience, as described in Section 4.2, Tabs 5 and 6

## **5.4 Price Proposal Selection Criteria**

Price Proposals will not be opened until the evaluation of the Technical Proposal is complete. The Price Proposal evaluation will be based upon the prices submitted by the Offeror on Attachment B – Price Proposal Form, and best and final offers, if any. Proposals will be ranked in order from lowest to highest cost to the State.

## **5.5 Weighting of Technical and Price Proposals**

The Technical Proposal will have greater weight than the price proposal in determining the most advantageous offers.

## **5.6 Contract Award**

It is DHCD's intention to award the contract to the Offeror whose proposal is determined to be the most advantageous to the State.

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